

IN THE SENATE

SENATE BILL NO. 1201

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO REMOVE A PROVISION RELATING TO CONTRIBUTIONS TO THE ORGAN DONATION CONTRIBUTION FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-401B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-4223A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each pickup truck, each neighborhood electric vehicle and each other motor vehicle having a maximum gross weight not in excess of eight thousand (8,000) pounds and that complies with the federal motor vehicle safety standards as defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old	\$48.00
Vehicles three (3) and four (4) years old	\$36.00
Vehicles five (5) and six (6) years old	\$36.00
Vehicles seven (7) and eight (8) years old	\$24.00
Vehicles over eight (8) years old	\$24.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered registration system for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school ap-

1 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and
 2 shall be subject to staggered registration for the purpose of reregistration
 3 and notice of expiration.

4 (3) For all motorcycles and motor-driven cycles which comply with the
 5 federal motor vehicle safety standards, operated upon the public highways,
 6 the annual fee shall be nine dollars (\$9.00) and shall be subject to stag-
 7 gered registration for the purpose of reregistration and notice of expira-
 8 tion.

9 (4) For operation of an all-terrain vehicle, utility type vehicle or
 10 motorbike, excluding a motorbike with an engine displacement of fifty (50)
 11 cubic centimeters or less, on city, county or highway district roads or
 12 highways open to such use, a restricted vehicle license plate fee pursuant
 13 to section 49-450, Idaho Code, shall be paid. In addition, the registration
 14 fee specified in section 67-7122, Idaho Code, shall be paid as provided in
 15 section 67-7122, Idaho Code. The registration and restricted vehicle li-
 16 cense plate exemption provided in section 49-426(2), Idaho Code, applies
 17 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles
 18 used for the purposes described in subsection (2) of section 49-426, Idaho
 19 Code. Nonresidents shall be allowed to purchase a restricted vehicle li-
 20 cense plate and sticker for an all-terrain vehicle, utility type vehicle or
 21 motorbike.

22 (5) For all motor homes the fee shall be as specified in subsection (1)
 23 of this section and shall be in addition to the fees provided for in section
 24 49-445, Idaho Code.

25 (6) Registration fees shall not be subject to refund.

26 (7) ~~A person who applies for motor vehicle registration or motor ve-~~
 27 ~~hicle registration renewal may designate a voluntary contribution of two~~
 28 ~~dollars (\$2.00) for the purpose of promoting and supporting organ donation.~~
 29 ~~Such a contribution shall be treated as a voluntary contribution to the organ~~
 30 ~~donation contribution fund created in section 49-2447, Idaho Code, and not~~
 31 ~~as a motor vehicle registration fee. Each voluntary contribution of two~~
 32 ~~dollars (\$2.00), less actual administrative costs associated with collect-~~
 33 ~~ing and transferring such contributions, shall be deposited into the organ~~
 34 ~~donation contribution fund.~~

35 ~~(8)~~ A financial institution or repossession service contracted to
 36 a financial institution repossessing vehicles under the terms of a secu-
 37 rity agreement shall move the vehicle from the place of repossession to the
 38 financial institution's place of business on a repossession plate. The
 39 repossession plate shall also be used for demonstrating the vehicle to a
 40 prospective purchaser for a period not to exceed ninety-six (96) hours. The
 41 registration fees for repossession plates shall be as required in subsection
 42 (1) of this section for a vehicle one (1) and two (2) years old. All other
 43 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
 44 the registration fee. The repossession plate shall be subject to staggered
 45 registration for the purpose of reregistration and notice of expiration.

46 ~~(98)~~ A wrecker or towing business engaged in the process of towing
 47 motorized vehicles, which have been wrecked, abandoned, salvaged or may
 48 be disabled, may apply for a wrecker plate to be displayed on those vehi-
 49 cles being towed, provided the power unit is properly registered under this
 50 chapter. The registration fees for wrecker plates shall be as required in

subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee and shall be subject to staggered registration for the purpose of reregistration and notice of expiration.

~~(109)~~ In addition to the annual registration fee in this section, there shall be an initial program fee of twenty-five dollars (\$25.00) and an annual program fee of fifteen dollars (\$15.00) for all special license plate programs for those license plates issued pursuant to sections 49-404A, 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code, there shall be an initial program fee of twenty-five dollars (\$25.00) but there shall be no annual renewal fee. For special plates issued pursuant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G, 49-420H, 49-420I, 49-420J, 49-420K and 49-420L, Idaho Code, and any new special plate program effective on and after January 1, 2013, pursuant to section 49-402D, Idaho Code, there shall be an initial program fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The fees contained in this subsection shall be applicable to all new special plate programs and shall be subject to staggered registration for the purpose of reregistration and notice of expiration. The initial program fee and the annual program fee shall be deposited in the state highway account and shall be used to fund the cost of administration of special license plate programs, unless otherwise specified by law.

~~(110)~~ Any vehicle that does not meet federal motor vehicle safety standards shall not be registered and shall not be permitted to operate on public highways of the state, as defined in section 40-117, Idaho Code, unless otherwise specifically authorized.

~~(121)~~ In addition to annual registration fees as provided in this section, registrants may pay a fee to purchase an Idaho state parks passport authorizing resident motor vehicle entry into all Idaho state parks. Registrants may pay the fee for a one (1) year or two (2) year period of time. The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars (\$20.00) for two (2) years. All fees collected pursuant to this subsection shall be deposited into the park and recreation fund and shall be subject to appropriation. Fees collected pursuant to this subsection shall not be considered a motor vehicle registration fee as provided in section 17, article VII, of the constitution of the state of Idaho.

SECTION 2. That Section 49-401B, Idaho Code, be, and the same is hereby amended to read as follows:

49-401B. APPLICATION FOR REGISTRATION -- RECEIPT FOR FEE -- RECORD OF APPLICANTS. (1) Application for the registration of a vehicle required to be registered under the provisions of section 49-401A, Idaho Code, shall be made to the assessor or the department as specified in that section, by the owner upon the appropriate form. Every application shall contain the owner's Idaho driver's license number, Idaho identification card number, or social security number. In the case of a business, the employer tax

1 identification number is required. Every application shall also contain
2 the owner's true and full legal name. In the event that the owner does not
3 possess a social security number, Idaho driver's license number, or Idaho
4 identification card number, the owner shall present written documentation
5 sufficient to the department to determine that no social security number
6 has been issued. In the event that a business, trust or other statutorily
7 created entity is not required to have and does not possess an employer tax
8 identification number, the applicant shall provide a written statement cer-
9 tifying that the entity does not possess an employer tax identification num-
10 ber. Such application must be signed by the owner and contain his residence
11 address and a brief description of the vehicle to be registered, including
12 the name of the maker, the type of fuel used, and the identification number.
13 If an applicant has submitted an application pursuant to the provisions of
14 chapter 58, title 19, Idaho Code, then the applicant may state, in the ap-
15 plication required pursuant to this section, the applicant's alternative
16 Idaho mailing address in place of his or her residence address. Upon regis-
17 tration of a new vehicle, the application shall also show the date of sale by
18 the manufacturer or dealer to the person first operating such vehicle. The
19 application shall contain any other information as may be required by the
20 department and shall contain a provision that allows an owner to choose to
21 participate in the Idaho state parks passport program. The assessor shall
22 issue to the applicant a receipt for any fee paid. Social security numbers
23 collected shall not appear on certificates of registration, and all applica-
24 tions on file shall be exempt from disclosure, except as provided in sections
25 49-202, 49-203 and 49-203A, Idaho Code.

26 (2) The assessor shall record on a form prescribed and furnished by the
27 department, the names of all owners of vehicles residing in the county who
28 make application for registration, together with the amounts of the fees
29 paid by such owners.

30 (3) When application for registration is made by any motor carrier, the
31 assessor or the department shall require each such applicant to execute a
32 certification of safety compliance.

33 (4) Vehicles registered under the proportional registration provi-
34 sions of section 49-435, Idaho Code, shall be registered by the department.

35 (5) Every owner of a vehicle registered by a county assessor shall give
36 his physical domicile residence address or the business¹ physical principal
37 address to the assessor so that the proper county can be entered upon the reg-
38 istration. Failure to do so shall be unlawful. The department shall then
39 attribute the registration, and all fees to be apportioned to the highway
40 distribution account, to the county of residence regardless of the county in
41 which the registration occurred. Fees imposed under the provisions of sec-
42 tions 40-827 and 40-1416, Idaho Code, shall be separately identified and ac-
43 counted for, and paid to the highway district for which collected. Fees col-
44 lected in addition to vehicle registration fees for the Idaho state parks
45 passport program, as provided in section 49-402(121), Idaho Code, shall be
46 separately identified and accounted for and paid to the state treasurer on
47 a monthly basis to be deposited in the park and recreation fund as specified
48 in section 49-402(121), Idaho Code. For the purposes of vehicle registra-
49 tion, a person is an actual and permanent resident of the county in which he

1 has his principal residence or domicile. A principal residence or domicile
2 shall not be a person's workplace, vacation, or part-time residence.

3 (6) A violation of the provisions of this section shall be an infrac-
4 tion.

5 SECTION 3. That Section 67-4223A, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 67-4223A. IDAHO STATE PARKS PASSPORT PROGRAM -- FEE. Upon payment of
8 the fee as provided in section 49-402(121), Idaho Code, the purchaser shall
9 be authorized to enter all Idaho state parks without paying the motor vehi-
10 cle entrance fee for either a one (1) or two (2) year period of time, depen-
11 dent on the fee paid by the purchaser. The provisions of this section shall
12 not preclude the department from continuing to sell daily and annual motor
13 vehicle entrance passes to Idaho residents who choose not to participate in
14 the Idaho state parks passport program and to any nonresident visiting Idaho
15 state parks.